

Attorney Docket: 71866  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : FUJII  
Serial No : 10/541,965  
Confirm. No. :  
Filed : July 11, 2005  
For : BRITTLE MATERIAL...  
Art Unit :  
Examiner :  
Dated : October 25, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
ATTENTION: Mail Stop PCT

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 USC 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

Sir:

In response to the Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US), mailed on October 3, 2005 please find enclosed the executed inventor(s) Declaration with a Request to Charge Deposit Account.

We trust that this matter is in order, but if there is any further action required please advise us immediately.

10/28/2005 ATRAM1 00000101 10541965

01 FC:2617

65.00 OP

Respectfully submitted  
for Applicant(s)

By: 

John James McGlew

Registration No. 31,903

JJM:tf

71866.6

Enc.: Executed Declaration  
Copy of Notification of Missing Requirements  
Request to Charge Deposit Account

DATED: October 25, 2005  
SCARBOROUGH STATION  
SCARBOROUGH, NEW YORK 10510-0827  
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK  
OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT  
ACCOUNT 13-0410.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED  
WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL IN AN  
ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450,  
ALEXANDRIA, VA 22313-1450, NO. EV436437329US

McGLEW AND TUTTLE, P.C., SCARBOROUGH STATION, SCARBOROUGH, NY  
10510

BY: Louisa Foulke DATE: October 25, 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

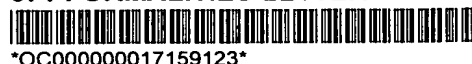
UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/541,965	Masahiro Fujii	71866

INTERNATIONAL APPLICATION NO.	
PCT/JP04/00084	
I.A. FILING DATE	PRIORITY DATE
01/08/2004	01/10/2003

23872  
 MCGLEW & TUTTLE, PC  
 P.O. BOX 9227  
 SCARBOROUGH STATION  
 SCARBOROUGH, NY 10510-9227

CONFIRMATION NO. 8926  
 371 FORMALITIES LETTER



\*OC000000017159123\*

Date Mailed: 10/03/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/11/2005
- English Translation of the IA filed on 07/11/2005
- Copy of the International Search Report filed on 07/11/2005
- Preliminary Amendments filed on 07/11/2005
- Information Disclosure Statements filed on 07/11/2005
- Small Entity Statement filed on 07/11/2005
- Request for Immediate Examination filed on 07/11/2005
- U.S. Basic National Fees filed on 07/11/2005
- Priority Documents filed on 07/11/2005

**STATUTORY PERIOD**  
 71866 - Resp. Russ. Parts  
**EXPIRES Dec. 3, 2005**

DUE DATE: Dec. 3, 2005

REVIEW DATE: \_\_\_\_\_

ENTERED BY: \_\_\_\_\_

OCT 2005  
 Received  
 McGlew & Tuttle, P.C.

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541,965	PCT/JP04/00084	71866